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| 09/733,472      | 12/08/2000  | Robert E. Haines     | 10003234-1          | 2649             |

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EXAMINER

BRUCKART, BENJAMIN R

|          |              |
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2155

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|  |  |                                      |  |
|--|--|--------------------------------------|--|
| <p align="center"><b>Office Action Summary</b></p> | <b>Application No.</b><br>09/733,472   | <b>Applicant(s)</b><br>HAINES ET AL. |  |
|  | <b>Examiner</b><br>Benjamin R Bruckart | <b>Art Unit</b><br>2155              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-27 and 30-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-27 and 30-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 2155

## **Detailed Action**

### **Status of Claims:**

Claims 1, 3-27, 30-44 are pending in this Office Action.

Claims 2, 28-29 are canceled.

The examiner acknowledges the mistake in the advisory action and acknowledges box b should have been checked instead of box a.

Claims 1, 3-4, 6-9, 11, 13, 37-40, 44 remain rejected under 102(e) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al.

Claims 5 and 10, 14-18, 22, 41-43 remain rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al.

Claim 12 remains rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 6,490,052 by Yanagidaira.

Claims 19-21 remains rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Claims 23-27, 30-33, 35-36 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Claim 34 is rejected under 103(a) as being anticipated by anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al in further view of U.S. Patent No. 6,490,052 by Yanagidaira.

### **Response to Arguments**

Applicant's arguments filed in the amendment filed 12/6/04, have been fully considered but they are not persuasive. The reasons are set forth below.

### **Applicant's invention as claimed:**

Claims 1, 3-4, 6-9, 11, 13, 37-40, 44 are rejected under 102(e) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al.

Art Unit: 2155

Regarding claim 1, a consumable component replenishment and maintenance assistance system for a centralized network environment (col. 3, lines 56-63), comprising:

a computer network (col. 3, lines 64- col. 4, line 2);

a plurality of computer peripheral devices within the network (col. 3, lines 66-67), at least one computer peripheral device of the plurality having a consumable component (col. 3, lines 66-67; col. 4, lines 20-23);

a personal computer within the network and having a user interface usable by a maintainer to maintain operation of the at least one computer peripheral device (col. 3, lines 13-20); and

a server within the network and having a consumable component consolidation program (col. 4, lines 9-14; supervisor) operative to monitor the plurality of computer peripheral devices to identify at least a need to replenish a consumable component and/or perform maintenance for each of the plurality of the computer peripheral devices (col. 3, lines 67; col. 4, lines 15-28), and to notify a maintainer of the identified need by rendering instructions that are sent to the maintainer at the personal computer (col. 3, lines 30-34);

wherein the consolidation program being operative to deliver to the maintainer a consolidated e-mail regarding at least the need to replenish the consumable component or perform maintenance for a select group of computer peripheral devices among the plurality of the computer peripheral devices (col. 4, lines 30-34, 49-62).

Regarding claim 3, the system of claim 1 further comprising another personal computer and an electronic communication link signal coupling the another personal computer with an external seller of a consumable component for one of the at least one peripheral devices (col. 4, lines 53-62; Figure 3).

Regarding claim 4, the system of claim 1 further comprising another personal computer, wherein the another personal computer is operative to monitor the at least one computer peripheral device to determine the state of a consumable for each of the at least one

Art Unit: 2155

computer peripheral devices, and notify a user via the user interface of a need to replenish one or more consumables (col. 3, lines 13-20; col. 4, lines 15-28).

Regarding claim 6, the system of claim 1 wherein the consumable component comprises a first consumable component (col. 4, lines 20-24), and further comprising a second consumable component unique from the first consumable component (col. 4, lines 20-24), wherein the consolidation program monitors the at least one computer peripheral device to identify when the second consumable component is near a threshold level requiring replenishment and/or maintenance and the consolidation program consolidates the need to replenish and/or perform maintenance on the first and second consumable components (col. 4, lines 15-28).

Regarding claim 7, the system of claim 6 wherein the first consumable component resides on a first peripheral device, and the second consumable component resides on a second peripheral device (col. 4, lines 15-17; for each printer resource; lines 20-24).

Regarding claim 8, the system of claim 6 wherein the first consumable component and the second consumable component reside on a common peripheral device (col. 4, lines 20-24).

Regarding claim 9, the system of claim 6 wherein the server is operative to automatically notify a maintainer of the consolidated need to replenish and/or perform maintenance (col. 4, lines 53-62).

Regarding claim 11, the system of claim 6 wherein the consolidation program generates a warning message indicating that the second consumable component is near the threshold level (col. 5, lines 38-53).

Regarding claim 13, the system of claim 1 wherein the consolidation program includes a configurable threshold setting for the consumable component of the peripheral device

Art Unit: 2155

(col. 4, lines 35-44), wherein a user of the centralized server selectively configures the threshold setting for the consumable component such that the identified need to replenish the consumable component is triggered by the threshold setting (col. 4, lines 35-44, lines 15-29).

Regarding claim 37, a method for replenishing consumable components of at least one computer peripheral device within a centralized network (Fan: col. 3, lines 56-58), comprising:

- providing a centralized server within the network communicating with the at least one computer peripheral device among a plurality of computer peripheral devices (Fan: col. 3, lines 64-67);

- identifying a need to replenish a consumable component and/or perform maintenance for each of the at least one computer peripheral components (Fan: col. 4, lines 15-28); and

- consolidating the identified need to replenish the consumable component or perform maintenance for one or more of the at least one computer peripheral device in the network (Fan: col. 4, lines 15-28);

- wherein the centralized server includes a consumable re-order program (Fan: col. 4, lines 9-14; supervisor) configured to send a consumable re-order notification to a consumables purchaser at a personal computer (Fan: col. 4, lines 30-62), the instructions including a consolidated message to order consumables for a select group of computer peripheral devices from among the plurality of computer peripheral devices (Fan: col. 4, lines 49-62).

Regarding claim 38, the method of claim 37 further comprising notifying a network user of the consolidated, identified need by rendering and forwarding instructions to the network user (Fan: col. 4, lines 53-63 and lines 30-34).

Regarding claim 39, the method of claim 38 wherein the network user is a maintainer interacting with the network at a personal computer (Fan: col. 3, lines 13-20).

Art Unit: 2155

Regarding claim 40, the method of claim 38 wherein the network user is an end user interacting with the network at a personal computer having a device status interface (Fan: col. 3, lines 13-20).

Regarding claim 44, the method of claim 37 wherein identifying a need comprises receiving a warning notification from a computer peripheral device that the computer peripheral device is down or is about to go down (Fan: col. 4, lines 53-63; col. 6, lines 30-35).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 5 and 10, 14-18, 22, 41-43 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al.**

Regarding claim 5,

The Fan reference teaches a consumable component replenishment and maintenance assistance system for a centralized network environment (col. 3, lines 56-63) providing notification to system managers, end users and/or vendors (col. 4, lines 53-59).

The Fan reference does not explicitly state instructions to send a consumable re-order notification to a consumables purchaser at the another personal computer.

The LoBiondo reference teaches another centralized server (col. 3, lines 18-20; remote ordering location) having a consumable re-order program including instructions to

Art Unit: 2155

send a consumable re-order notification to a consumables purchaser at the another personal computer (col. 1, lines 46-52; col. 3, lines 26-34).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33).

Claim 10 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al and Fan et al.

Regarding claim 10, the system of claim 6 wherein the server is operative to automatically notify a purchaser of the consolidated need to replenish and/or perform maintenance (col. 1, lines 46-52; col. 3, lines 26-34).

Regarding claim 14,

The Fan reference teaches a consumable monitoring system for a computer peripheral device within a centralized network environment (col. 3, lines 56-63), comprising:

- a personal computer having a user interface (col. 3, line 66, lines 13-20);
- a plurality of computer peripheral devices (Fan: col. 3, lines 66-67), each computer peripheral device including a consumable (col. 3, line 67; col. 4, lines 20-24);
- a centralized (col. 3, line 67) server with instructions to send a notification including a consolidated message to order consumables for a select group of computer peripheral devices from among the plurality of computer peripheral devices (col. 4, lines 30-62).; and



Art Unit: 2155

a computer network interconnecting the personal computer, the plurality of computer peripheral devices, and the centralized server (col. 3, lines 59, lines 65-col. 4, line 2; Figure 3).

The Fan reference does not teach instructions to send a consumable re-order notification to a consumables purchaser at the personal computer.

The LoBiondo reference teaches a consumable re-order program including instructions to send a consumable re-order notification to a consumables purchaser at the personal computer (col. 1, lines 46-52; col. 3, lines 26-34).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33).

Claims 15-23 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al and Fan et al.

Regarding claim 15, the consumable order assistance system of claim 14 further comprising an electronic communication link signal coupling the personal computer with a provider of the consumable for the peripheral device (Fan: col. 3, lines 56-63; Figure 3).

Regarding claim 16, the consumable order assistance system of claim 14 wherein the centralized server includes a consumable component consolidation program for monitoring the at least one computer peripheral device to identify a need to replenish a consumable component and/or perform maintenance (Fan: col. 3, lines 67; col. 4, lines 15-28), consolidating the identified need to replenish the consumable component and/or perform maintenance for one or more of the at least one computer peripheral device in the network environment, (Fan: col. 4, lines 15-28) and notifying a user of the

Art Unit: 2155

consolidated, identified need by rendering instructions that are sent to the user at the personal computer (Fan: col. 4, lines 53-63).

Regarding claim 17, the consumable order assistance system of claim 15 wherein the consumable re-order program automatically initiates an order for consumables in response to identifying a need to replenish a consumable component (LoBiondo: col. 3, lines 16-24).

Regarding claim 18, the consumable order assistance system of claim 14 wherein the electronic communication link comprises an e-mail system within the network environment (Fan: col. 4, lines 53-63), wherein a list of consumables that need replacement (Fan: col. 4, lines 15-28; col. 8, lines 35-38; notification is given of a printers and their deficiencies) are sent to the personal computer via an e-mail message from the centralized server (Fan: col. 4, lines 53-63).

Regarding claim 22, the consumable order assistance system of claim 18 wherein the e-mail system facilitates consumable ordering by a purchaser at the personal computer (LoBiondo: col. 3, lines 16-24).

Regarding claim 41,

The Fan reference teaches a method for replenishing consumable components of at least one computer peripheral device within a centralized network (Fan: col. 3, lines 56-58) dependent on claim 38.

The Fan reference does not explicitly teach the network user is a purchaser of consumables interacting with the network at a personal computer.

The LoBiondo reference teaches the network user is a purchaser of consumables interacting with the network at a personal computer. (LoBiondo: col. 3, lines 16-24).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33)

Art Unit: 2155

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33).

Claims 42 and 43 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al and Fan et al.

Regarding claim 42, the method of claim 37 wherein identifying comprises comparing a state of a consumable component with a predefined state (Fan: col. 4, lines 15-28), and when the compared identified state corresponds with the predefined state (Fan: col. 4, lines 35-44), generating an order request for the consumable for submission to a provider of the consumable via a communication link (LoBiondo: col. 3, lines 16-24).

Regarding claim 43, the method of claim 42 wherein the communication link comprises the Internet (Fan: col. 59-67; Figure 3; the internet is a vast system of networks).

**Claims 23-27, 30-33, 35-36 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.**

Regarding claim 23,

The Fan reference teaches a computer-implemented system which implements a program in which consumable components of computer peripheral devices in a centralized network system are replenished (Fan: col. 4, lines 15-28), the system comprising:

a monitoring system which identifies a need to replenish one or more consumable components and/or perform maintenance for any one of a plurality of unique computer peripheral devices within the network system (Fan: col. 4, lines 15-28); and

Art Unit: 2155

a notification system which notifies a user of the identified need to replenish components and/or perform maintenance (Fan: col. 4, lines 30-34);

a server (Fan: col. 4, lines 9-14) having a consumable consolidation program (Fan: col. 4, lines 9-14; supervisor) for monitoring at least one computer peripheral device to identify a need to replenish consumables and/or perform maintenance for the at least one computer peripheral device in the network environment (Fan: col. 4, lines 15-34), and notifying a maintainer of the consolidated, identified need by rendering instructions that are sent to the maintainer at the personal computer by forwarding an email (Fan: col. 4, lines 49-62), and the instructions including a consolidated message to order consumables for a select group of computer peripheral devices from among the plurality of unique computer peripheral devices (Fan: col. 4, lines 30-62).

The Fan reference does not explicitly teach generating an order with a supplier of consumables in response to a user authorizing the order.

The LoBiondo reference teaches a consumable order placement system which generates an order with a supplier of consumables in response to a user authorizing the order (LoBiondo: col. 3, lines 16-24).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33).

The Fan and LoBiondo references do not explicitly state the e-mail including a hot link to a web site of consumable reseller information.

The Silva reference teaches sending an e-mail including a hot link to a web site of consumable reseller information (Silva: paragraph 28).

The Silva reference further teaches overcoming the time-consuming task of filling a shopping cart by the single action of clicking the link and automatically filling the shopping cart overcoming fewer sales (paragraphs 4 and 5).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33) with emailing a hot link of a website of

Art Unit: 2155

consumable reseller information as taught by Silva in order to reduce the time necessary to shop and increase sales (paragraphs 4 and 5)..

Claims 24-36 are rejected under the same rationale given above. In the rejections set forth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al, Fan et al, Silva et al.

Regarding claim 24, the computer-implemented system of claim 23 wherein the monitoring system comprises a server, a peripheral device having one or more consumable components, and a bi-directional communication link (Fan: col. 3, lines 59- col. 4, line 8; Figure 3), wherein the server polls or sets up the peripheral device to perform an internal check and notifies the server when a need is determined to replenish one or more consumable components and/or perform maintenance (Fan: col. 4, lines 15-28).

Regarding claim 25, the computer-implemented system of claim 23 wherein the notification system comprises a server, at least one client PC, and a communication link provided between the server and the at least one client PC (Fan: col. 3, lines 59- col. 4, line 8; Figure 3), wherein the server generates and forwards a notification to a user at one of the at least one client PC (Fan: col. 4, lines 53-63).

Regarding claim 26, the computer-implemented system of claim 23 wherein the consumable order placement system is resident on a central server within a network environment having a plurality of PCs (Fan: col. 3, lines 65-67).

Regarding claim 27, the computer-implemented system of claim 23 wherein the consumable order placement system is resident on a PC within a network environment having a central server (col. 3, lines 13-20).

Art Unit: 2155

Regarding claim 30, the computer-implemented system of claim 23 wherein the email comprises a notification that a printer needs replenishment of at least one consumable and/or maintenance (Fan: col. 4, lines 53-63).

Regarding claim 31, the computer implemented system of claim 23 wherein the email comprises a notification (Fan: col. 4, lines 53-63) in the form of an itemized list that a plurality of computer peripheral devices each needs replenishment of at least one consumable and/or maintenance (Fan: col. 4, lines 15-28; col. 8, lines 35-38; notification is given of a printers and their deficiencies).

Regarding claim 32, the computer-implemented system of claim 23 wherein the consumable consolidation program notifies the maintainer of the consolidated, identified need for a single computer peripheral device by consolidating the need for a plurality of unique consumable components (Fan: col. 4, lines 15-28, 53-63) and notifying the maintainer of the consolidated need for the single computer peripheral device (Fan: col. 4, lines 53-63).

Regarding claim 33, the computer-implemented system of claim 23 wherein the server comprises a centralized server communicating with the at least one computer peripheral device (Fan: col. 3, lines 64-67; Figure 3) and further operative to consolidate the identified need to replenish one or more consumable components and/or perform maintenance for one or more of the computer peripheral devices (Fan: col. 4, lines 15-24).

Regarding claim 35, the computer-implemented system of claim 23 wherein the notification system comprises a Legacy computer peripheral device and a centralized server provided within the network, wherein the centralized server periodically polls the Legacy device to obtain a status of the Legacy device relating to status of a consumable component and/or a need to perform maintenance on the Legacy device (Fan: col. 4, lines 15-24).

Regarding claim 36, the computer-implemented system of claim 23 wherein the consumable order placement system comprises a centralized server provided within the network and communicating with a provider of consumables via the Internet (Fan: col. 59-67; Figure 3; the internet is a vast system of networks).

**Claim 12 is rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 6,490,052 by Yanagidaira.**

Regarding claim 12,

The Fan reference teaches a consumable component replenishment and maintenance assistance system for a centralized network environment (col. 3, lines 56-63).

The Fan reference does not explicitly state the centralized server comprises an integrated web server operative to manage network peripheral devices.

The Yanagidaira reference teaches a centralized server comprises an integrated web server operative to manage network peripheral devices (Yanagidaira: col. 2, lines 14-23)

The Yanagidaira reference further teaches the printer controller can easily perform the operating state monitoring, check and instruction of the printer from a client (Yanagidaira: col. 2, lines 9-14; col. 1, lines 34-39)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable component replenishment and maintenance assistance system for a centralized network environment as taught by Fan while employing an integrated web server operative to manage network peripheral devices as taught by Yanagidaira in order to easily identify a printer's operating state by a client (col. 1, lines 28-33).

**Claims 19-21 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.**

Art Unit: 2155

Regarding claim 19,

The Fan and LoBiondo reference teach a consumable order assistance system wherein the e-mail is sent to notify of a need to maintain or replenish a peripheral.

The Fan and LoBiondo references do not explicitly state the e-mail including a hot link to a web site of consumable reseller information.

The Silva reference teaches sending an e-mail including a hot link to a web site of consumable reseller information (Silva: paragraph 28).

The Silva reference further teaches overcoming the time-consuming task of filling a shopping cart by the single action of clicking the link and automatically filling the shopping cart overcoming fewer sales (paragraphs 4 and 5).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable order assistance system wherein the e-mail is sent to notify of a need to maintain or replenish a peripheral as taught by Fan and LoBiondo while including a hot link to a web site of consumable reseller information as taught by Silva in order to reduce the time necessary to shop and increase sales (paragraphs 4 and 5).

Claims 20-21 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al, Silva et al and Fan et al.

Regarding claim 20, the consumable order assistance system of claim 19 wherein the hot link is to a web site (Silva: paragraph 28) that is configured to work with an internal customer order system (LoBiondo: col. 3, lines 26-34).

Regarding claim 21, the consumable order assistance system of claim 19 wherein the hot link is to a web site that is configured to work with an external web site including a list of providers of the consumable (Silva: paragraphs 9 and 28).

**Claim 34 is rejected under 103(a) as being anticipated by anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by**



Art Unit: 2155

**LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al in further view of U.S. Patent No. 6,490,052 by Yanagidaira.**

Regarding claim 34,

The Fan, LoBiondo, and Silva references teach a computer-implemented system which implements a program in which consumable components of computer peripheral devices in a centralized network system are replenished.

The Fan, LoBiondo, and Silva references do not explicitly teach the notification system comprises an embedded web server within a computer peripheral device and a centralized server communicating with the computer peripheral device.

The Yanagidaira reference teaches the notification system comprises an embedded web server within a computer peripheral device and a centralized server communicating with the computer peripheral device (Yanagidaira: col. 2, lines 14-23).

The Yanagidaira reference further teaches the printer controller can easily perform the operating state monitoring, check and instruction of the printer from a client (Yanagidaira: col. 2, lines 9-14; col. 1, lines 34-39)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system which implements a program in which consumable components of computer peripheral devices in a centralized network system are replenished as taught by Fan, LoBiondo, and Silva while employing an embedded web server within a computer peripheral device and a centralized server communicating with the computer peripheral device as taught by Yanagidaira in order to easily identify a printer's operating state by a client (col. 1, lines 28-33).

### **REMARKS**

#### **The Applicant Argues:**

With regards to claims 1, 23, and 37, applicant argues Fan does not teach a

1) a consumable component consolidation program

a) operative to monitor a computer peripheral device,

b) notify a maintainer of the identified need by rendering instructions that are sent to the maintainer at the personal computer.

and 2) the consolidation program being operative to deliver the maintainer a consolidated email regarding at least the need to replenish the consumable component or perform maintenance for the selected group of computer peripheral devices.

**In response**, the examiner respectfully submits:

The Fan reference does teach a 1) consumable component consolidation program (col. 4, lines 9-14; the supervisor; col. 4, lines 30-34; resource management system) through the server function as a supervisor which is a part of the resource management system. The Fan reference teaches the server computer monitors printer attributes that are stored and manipulated through a database.

Fan teaches a) the server is operative to monitor a computer peripheral device by monitoring printer resources corresponding to that resource (col. 4, lines 15-29). The device is the printer and monitoring is demonstrated through the printer resource levels for example the paper level, quality level, link level, and toner level.

Fan teaches 1b) and 2) in notification in col. 4, lines 30-34 where the print management system monitors the resources with respect to their thresholds and provides notification to “administrators, end users, and vendors” (col. 4, lines 30-34) when a deficiency is detected. The server hosts the resource system manager and holds a profile for each resource. A notification profile is taught, the administrator or other authorized person can designate users or vendors who will receive notification. “The notification profile can also be used to designate the type of electronic communication will be used to designate end users or vendors like email or direct pages, etc.” explicitly states it notifies through email to a specified user when a deficiency is found. The claimed limitation reads regarding at least the need to replenish the consumable component or perform maintenance for “a select group of computer peripheral devices.” The program operates on a notification profile that is associated with each resource. Fan teaches, the profile indicates the person to contact depending on the resource and the deficiency (col. 4, lines 55-59). The selected group would be the resources determined to be deficient.

Art Unit: 2155

With regards to claim 14, applicant argues that neither Fan or LoBiondo teach or suggest a consumable re-order program including instructions.

**In response**, the examiner respectfully submits:

The Fan reference does teach a centralized server with a program that monitors resources in the consumable environment. See the arguments for claim 1 above. The Fan reference teaches the monitoring and notification. The LoBiondo reference teaches a consumable re-order program including instructions to send a consumable re-order notification to a consumables purchaser at the personal computer (col. 1, lines 46-52; col. 3, lines 26-34). The combination of the two references meets the claimed limitation. The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33).

***Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U. S. Patent No. 6,678,068 issued to Richter et al teaches a client and printer system with an administrative print server link detailing system information and control for users, print servers and devices.

U. S. Publication 2002/0050526 issued to Swartz et al teaches email based notification through the web for re-ordering of consumable resources.

U. S. Patent No. 6,798,997 by Hayward et al teaches a supply ordering system for a consumable component system when a threshold is reached and notified by email.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number 571-272-3982. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-3982.

Benjamin R Bruckart  
Examiner  
Art Unit 2155  
brb  
1/21/05

*BRB*

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER